

# House Study Bill 235

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON SWAIM)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to dogs, including the right to kill a tagged dog  
2 and the liability of a dog's owner for damages caused by the  
3 dog.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2497YC 82  
6 da/es/88

PAG LIN

1 1 Section 1. Section 351.27, Code 2007, is amended to read  
1 2 as follows:  
1 3 351.27 RIGHT TO KILL TAGGED DOG.  
1 4 It shall be lawful for any person to kill a dog, wearing a  
1 5 collar with a rabies vaccination tag attached, when the dog is  
1 6 caught in the act of ~~worrying~~, chasing, maiming, or killing  
1 7 any domestic animal or fowl, or when such dog is attacking or  
1 8 attempting to bite a person.  
1 9 Sec. 2. Section 351.28, Code 2007, is amended to read as  
1 10 follows:  
1 11 351.28 LIABILITY FOR DAMAGES.  
1 12 The owner of a dog shall be liable to an injured party for  
1 13 all damages done by the dog, when the dog is caught in the  
1 14 action of ~~worrying~~ ~~chasing~~, maiming, or killing a domestic  
1 15 animal, or the dog is attacking or attempting to bite a  
1 16 person, except when the party damaged is doing an unlawful  
1 17 act, directly contributing to the injury. This section does  
1 18 not apply to damage done by a dog affected with hydrophobia  
1 19 unless the owner of the dog had reasonable grounds to know  
1 20 that the dog was afflicted with hydrophobia and by reasonable  
1 21 effort might have prevented the injury.  
1 22 EXPLANATION  
1 23 This bill relates to dogs, including the right to kill a  
1 24 tagged dog and the liability of an owner of a dog for damages  
1 25 caused by the dog. The bill removes the ability of a person  
1 26 to kill a dog that is wearing a collar with a rabies  
1 27 vaccination tag when the dog is caught in the act of worrying  
1 28 a domestic animal or fowl. The bill removes the liability of  
1 29 an owner of a dog to an injured party for damages done by the  
1 30 dog when the dog is caught in the act of worrying a domestic  
1 31 animal. The bill provides that an owner of a dog is liable to  
1 32 an injured party for damages done by the dog when the dog is  
1 33 caught in the act of chasing a domestic animal.  
1 34 LSB 2497YC 82  
1 35 da:nh/es/88